

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
MODESTO DIVISION

In re) Case No. 10-92164-E-7
SUSAN LEE LEICHT,)
Debtor(s).)

**FINDINGS OF FACTS AND CONCLUSIONS OF LAW
RE REAFFIRMATION AGREEMENT BETWEEN DEBTOR
AND ONYX ACCEPTANCE CORPORATION**

The court makes the following findings of facts and conclusions of law in not approving the reaffirmation agreement between debtor Susan Lee Leicht and creditor Onyx Acceptance Corporation:

1. Under the terms of the reaffirmation agreement, the Debtor seeks to reaffirm an obligation in the amount of \$3,281.42, to be paid in 21 monthly installments, with monthly payments of \$167.66.

2. The interest rate on the obligation to be reaffirmed is 9.410 percent.

3. Neither the interest rate nor the amount of the obligation are modified under the reaffirmation agreement from the pre-petition contract terms and balance.

4. The Debtor is not represented by counsel with respect to

1 this reaffirmation.

2 5. The 2001 Ford Focus ZTS is not a vehicle owned by the
3 Debtor.

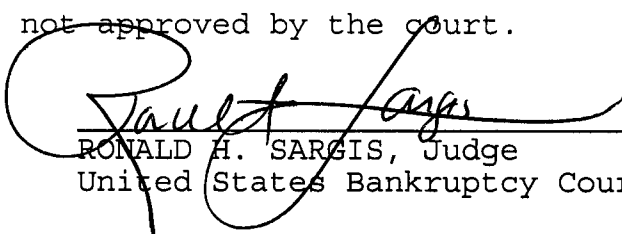
4 6. The obligation that is the subject of the reaffirmation
5 agreement is one owed by the Debtor solely as a co-signer on a car
6 loan, which Debtor did as an accommodation for a friend to be able
7 to purchase a vehicle. The Debtor has reaffirmed an obligation for
8 a vehicle she owns, which reaffirmation has separately been
9 approved by this court.

10 7. The Debtor's income is not sufficient to pay all of her
11 personal expenses, the costs of the reaffirmed vehicle, and the
12 additional monthly payments for the obligation owed to Onyx
13 Acceptance Corporation under the reaffirmation agreement.

14 8. Reaffirmation of this obligation is not in the best
15 financial interest of the Debtor.

16 9. The reaffirmation agreement would impose an undue
17 hardship on the Debtor and/or a dependant of the Debtor. The
18 reaffirmation agreement is not approved by the court.

19 Dated: July 20, 2010

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21 RONALD H. SARGIS, Judge
22 United States Bankruptcy Court
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This document does not constitute a certificate of service. The parties listed below will be served a separate copy of the attached document(s).

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